

The West Australian

REACHING NEW HEIGHTS

Pixar's latest adventure takes off

Seven days magazine



Agenda

THE TICKING TIME BOMB THAT IS MICHAEL McGARRY

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WEEKEND EDITION

Major oil spill sparks marine disaster fears

NICK BUTTERLY, KIM MACDONALD and ANDREW PROBYN
CANNBERRA

Emergency authorities were last night scrambling to contain a major oil spill off the northern coast of WA after an accident aboard a drilling rig in the Timor Sea.

Almost 70 workers were evacuated from rig The West Atlas early yesterday morning after oil and gas began leaking from a wellhead during a drilling operation.

"Our guys are telling us that the oil spill goes as far as the eye can see," Australian Manufacturing Workers Union secretary Steve McCartney

said. "They say it's a major spill and it's not been capped yet."

The rig is about 250km north-west of Truscott, a remote airstrip on the northern tip of the Kimberley.

While the extent of the spill is not known, oil was still spraying into the sea at high pressure last night. Sources said the oil was very "gassy", suggesting some of the spill may evaporate over coming days.

The Australian Maritime Safety Authority dispatched two Dornier aircraft and emergency co-ordinators to Truscott last night, along with 50 tonnes of dispersant chemicals stored in the Australian Maritime Oil Spill Centre in Victoria.

AMSA personnel have also been sent to Perth and Darwin to help with the clean-up.

An AMSA spokeswoman said the agency had activated its emergency response plan.

"We have an indication that there is oil leaking from the wellhead that sits under the platform ... I have no idea how big it is," she said.

The oil rig was drilling in Commonwealth waters for PTTEP Australasia, a Thai company.

A spokesman for the company said the sea was calm, with light north-east winds and modelling suggested the slick was likely to be carried south-west away from the Australian main-

land. The leak began about 3.30am yesterday. The company activated its emergency procedures and evacuated all 69 personnel to a nearby ship. Non-essential workers are being taken to Darwin.

"PTTEP is in contact with onsite crews to assess the situation and progress planning to determine how the leak can best be tackled to shut off the flow," the company spokesman said.

The leak is said to be coming from the wellhead under the drilling platform.

The specialist aircraft should begin spraying the spill today.

Mr McCartney said about 50 work-

ers on a pipe-laying barge which was 500m from the rig had seen the accident but were not evacuated.

He said these workers had been told by their management that the oil spill was 100 square miles in area. He said he was concerned for the safety of the barge workers as well as the environment.

Federal watchdog the National Offshore Petroleum Safety Authority said it would investigate the incident.

"NOPSA continues to monitor the situation," a spokesman said.

"The timing of further NOPSA investigatory action is dependent upon the well being brought under control by the operators."

Hailey tunes in to sweetest sounds

Simple things: A noisy quack-quack from her daughter was music to the ears of Joanne Ardagh — it was a sign that Hailey, now 13 months, was hearing sounds for the first time. Hailey was born profoundly deaf but cochlear implants at the age of nine months and a second this week have opened a dramatic, new world of sound. She is believed to be the youngest recipient of a cochlear implant in WA.

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Picture: Nic Ellis



PERTH 11-18 Details, P91

Few showers. Tom: Early showers, 10-16. Yest: 10.2-174

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BURNING QUESTIONS

Fire chiefs at odds over fatal Coolgardie bushfire, P5

News

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State 'failed' in sex fiend case

AMANDA BANKS

The decision by State prosecutors not to continue to push to keep serial sex offender Michael Alexander McGarry in jail is a massive failure that puts the community at risk, shadow attorney-general John Quigley said yesterday.

He said a parliamentary inquiry was needed into the decision and other failures at the office of the Director of Public Prosecutions.

"If the community is now at risk, it is not the judge's fault, it is the DPP's fault," he said.

McGarry finished a five-year jail term in January but was held for eight more months on an interim detention order after the DPP applied to have the 47-year-old dealt with under the Dangerous Sex Offender Act.

Acting DPP Bruno Fiannaca said yesterday the Act provided two options after a court was satisfied the offender was a serious danger to the community: on-going detention or release under supervision.

Mr Fiannaca said the DPP initially applied for continued detention but later conceded McGarry could be

released under stringent supervision after taking into account psychiatric evidence and assurances that strict conditions could be enforced.

"Judges who have dealt with these sorts of cases have said that, on a proper construction of the Act, the court should choose the option which is the least invasive or destructive of the offender's right to be at liberty while, at the same time, ensuring an adequate degree of protection of the community," Mr Fiannaca said.

"The public can be assured that the protection of the community was very

much at the forefront of the DPP's consideration on this matter, otherwise the DPP would not have made an application under the Act."

Attorney-General Christian Porter said the McGarry decision was fundamentally about judicial discretion.

"Mr Quigley is a great champion of judicial discretion — until there is a result he doesn't like, in which case he finds it satisfying to see the DPP as responsible," Mr Porter said.

"In applications under the Dangerous Sex Offender Act, such as the McGarry case, the DPP, like all other

participants in the process, is bound by the evidence that is provided by the court-appointed psychologists."

But Mr Porter said the Act was complicated legislation and he would ask the new DPP to assess the laws.

He said making orders under the Act was a finely balanced question which gave the court ultimate discretion.

Difficulties the DPP faced in recent applications might indicate the Act's balance was not right.

TIME BOMB

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Unease at vagrant's fine

JESSICA STRUTT

A homeless man who has lived under the Causeway for nine months has been fined more than \$600 on two trespass charges laid this month.

Peter Stewart, who has befriended the man through his work as director of the Christian Centre for Social Action in East Victoria Park, said the case raised serious questions about how the State treated the homeless.

He said the 29-year-old, who has been on the streets since he was 14, had nowhere else to go because of a lack of crisis accommodation in WA.

The man was fined \$620, including court costs, after he pleaded guilty.

Mr Stewart said the man, whom *The West Australian* has agreed not to name, would struggle to pay the fines and was likely to end up in prison for non-payment.

"It's not like he's doing graffiti or anything — he has nowhere to live... that's where he sleeps," Mr Stewart said yesterday. "These people don't disappear, they find other places."

A WA Police spokesman said officers had not targeted the man but had charged him after responding to a complaint about someone being under the bridge.

He said the man was on private property in a maintenance area behind a fence under the bridge, which was not supposed to be accessible to the public.

The man was charged a second time when found to be in the area again after being told not to return.

Victoria Park MP Ben Wyatt said the case was a perfect example of the State's inability to provide accommodation for the growing number of homeless people.



Stand-in: Peter Stewart examines where his homeless friend has been living under the Causeway. Picture: Sharon Smith

DIVE STORE CLOSING DOWN

Malibu Dive in Barrack Street is closing down everything has to be gone by Sunday 30 of August. Prices are slashed on new and used diving equipment, plant, fixtures and fittings.

- New Wetsuits from \$20 Used suits from \$5
- New Masks from \$15
- New fins \$25
- Rental scuba units including tank \$500
- TUSA Split fin was \$299 Now \$140

Malibu Dive 126 Barrack St Perth
Open every day until Sunday 30 August

Tot takes to sound like duck to water

CATHY O'LEARY
MEDICAL EDITOR

It may not seem much but hearing her baby daughter imitate the "quack quack" of a toy duck for the first time was one of the sweetest sounds Joanne Ardagh has heard.

Waterford 13-month-old Hailey is profoundly deaf and is believed to be the youngest cochlear implant user in WA. She was given a device in her right ear at nine months and one in her left ear this week.

Under the skin and behind the ear, they link magnetically to an external speech processor, which sits like a hearing aid.

Her family say the first implant opened up a new world for Hailey and she will hear "in stereo" when the second device is turned on in a few weeks.

Princess Margaret Hospital's speech pathology experts, who are training her to respond to new noises, expect Hailey's speech and language to develop like any other child because she got the technology so early. Research shows children helped in their first year are better off.

Hailey's deafness was picked up soon after birth in WA's newborn screening program. Mrs Ardagh and her husband Damien had concerns because their older daughter Sophie, 5, was born deaf but not diagnosed quickly. Sophie has cochlear implants for both ears.

"After seeing the benefit in Sophie, we wanted Hailey implanted as soon as possible," Mrs Ardagh said. "She responded as soon as it was switched on, turning to noises like it was no effort at all.

"She's already saying 'quack quack' in response to us saying it when we're playing with her and her toys and that's really fantastic because it's only been four months since the first implant was turned on."

PMH speech pathologist Katherine Cain encourages the family to use everyday routines to develop Hailey's listening and speech.

Tomorrow is the start of Speech Pathology Week to raise awareness about the social isolation and frustration of people who cannot communicate because of conditions such as hearing loss.

PMH head of speech pathology Jodi Lipscombe said it often had a huge impact.

The hospital will host an information session on Wednesday.

WA keeps AAA rating

A second major ratings agency has reaffirmed WA's AAA credit rating but warned that to keep it, the Government must make further cuts to the public service by the end of the year.

The Moody's announcement comes as the ratings agency yesterday downgraded Queensland's financial status to AA from AAA. It follows Standard & Poor's similar view on WA's rating in May.

Treasurer Troy Buswell said he was committed to taking "corrective measures" ahead of the December mid-year review. Shadow treasurer Ben Wyatt said he doubted the Government's ability to hang on to the rating.

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